

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES

VS

KIRK RINALDI

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NO. 03-CR-10385-RGS


DEFENDANT'S MOTION TO SUPPRESS EVIDENCE

The defendant, Kirk Rinaldi, says that certain evidence was seized on January 31, 2001, as a result of the execution of a search warrant issued by a magistrate judge of this court on January 30, 2001, against "the second-floor rear apartment of 534 Broadway, Everett, Massachusetts." The government has indicated this evidence is expected to be used against the defendant at the trial of the within case. The defendant submits that the seized evidence was obtained in violation of the Constitutions of the Commonwealth of Massachusetts and the United States and the laws thereof as set forth more fully in the accompanying Memorandum.

WHEREFORE, the defendant moves that the entirety of said seized evidence and any other evidence derived from said evidence be suppressed.

The defendant also moves that arguments and exhibits presented in the Memorandum filed with this motion be considered with his Motion to Reveal the Identity of the Confidential Informant filed herewith.

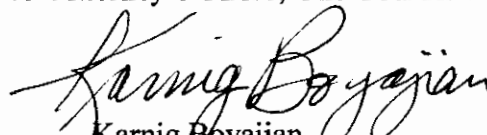
September 15, 2005


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CERTIFICATE

I hereby certify a copy of the within motion was this date delivered, faxed and/or mailed postage prepaid to AUSA Christopher F. Bator, c/o U.S. Attorney's Office, One Courthouse Way, Suite 9200, Boston, MA, 02110.

September 15, 2005


Karnig Boyajian